

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M 4916 of 2021

DECIDED ON: 9th FEBRUARY, 2021

Gurdev Singh and another

.....PETITIONERS

VERSUS

State of Punjab

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Tarun Sharma, Advocate for the petitioners.

Mr. Ramdeep Pratap Singh, DAG Punjab.

AVNEESH JHINGAN, J (ORAL)

The matter is taken up for hearing through video conference due to COVID-19 situation.

This is a petition seeking regular bail in FIR No. 191, dated 26th November, 2020 under Section 376-D of the IPC, registered at Police Station Ghagga, District Patiala.

The FIR was at the instance of Prosecutrix 'P'(name withheld). The prosecutrix was 36 years of age and was stated to be engaged in selling readymade garments from her house. She used to purchase readymade from Gurdev Singh, owner of Karan General Store. It is alleged that she was called to the shop on 25.11.2020 stating that certain new material has come where she was raped by Kuldeep Singh, Gurdev Singh, one physically handicapped person and one minor boy.

Learned counsel for the petitioner submits that challan has been presented and investigation is complete. He further relies on the statement of the prosecutrix recorded under Section 164 of the Cr.P.C. where in allegations in the FIR are not supported. He further submits that petitioners are in custody for more than 2 years and 6 months.

Considering that the co-accused was granted bail by this Court and that the conclusion of trial is likely to take time, the petitioners (Gurdev Singh and Kuldeep Singh) are granted regular bail subject to their furnishing bail bonds to the satisfaction of the Chief Judicial Magistrate/ Duty Magistrate concerned.

It is clarified that observations made hereinabove shall not be construed as an expression of opinion on the merits of the case.

9th FEBRUARY, 2021
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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>